

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GLORIA E. JONES-KHAN,

4:31 pm, Oct 06, 2021

Plaintiff,

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

-against-

**ORDER**  
21-CV-3908(JMA)(JMW)

WESTBURY BOARD OF EDUCATION, *et al.*,

Defendants.  
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**AZRACK, United States District Judge:**

The Court's records reflect that the complaint in this action was filed on July 12, 2021.  
(ECF No. 1.)

Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Plaintiff's attempt to serve Luis Salazar is deficient. Defendants have informed the Court that Salazar is a former District consultant. Plaintiff has not offered any evidence to the contrary. Plaintiff's attempt to serve Salazar was ineffective. Plaintiff cannot serve Salazar by serving the District or by serving papers for Salazar at the District's offices. By **October 27, 2021**, plaintiff must either: (1) properly serve Salazar and file proof of service with the Court; or (2) submit a letter to the Court, by that date, showing that there is good cause why proper service on Salazar has not been effected. Failure to abide by this Order will result in dismissal of Plaintiff's claims against Salazar without prejudice. **Plaintiff is to provide a copy of this Order to Salazar along with the summons and complaint and shall file proof of service with the Court.**

Plaintiff is required to advise the Clerk of Court of any changes of address. Failure to keep the Court informed of plaintiff's current address may result in dismissal of the case.

The Clerk of Court shall mail a copy of this Order to Plaintiff.

**SO ORDERED.**

Dated: October 6, 2021  
Central Islip, New York

/s/ (JMA)  
JOAN M. AZRACK  
UNITED STATES DISTRICT JUDGE